

WATERFORD CITY COUNCIL MEETING MINUTES

Thursday, October 19, 2006

A regular meeting of the Waterford City Council was called to order by Mayor Turner at 6:30 PM at the Waterford Community Center, 540 "C" Street, Waterford, CA 95386.

ROLL CALL PRESENT

Charles Turner, Mayor
William Broderick, Vice Mayor
Ken Krause, Council Member
Greg Dugovic, Council Member

EXCUSED:

Zena Gilbert, Council Member

ABSENT:

CITY STAFF & CONTRACT EMPLOYEES PRESENT

Corbett Browning, City Attorney
Charles Deschenes, City Administrator
Lori Martin, City Clerk
Rob Jackson, Police Chief

PLEDGE OF ALLEGIANCE – Mayor Turner

INVOCATION: Deacon Tom Broderick, St. Anthony's Church

ADOPTION OF THE AGENDA: A Motion was made by CM/Dugovic and seconded by CM/Krause to adopt the agenda. Vote: 4-0

ADOPTION OF THE CONSENT AGENDA: A motion was made by CM/Krause and seconded by CM/Dugovic to adopt the consent calendar. Vote: 4-0

1. CONSENT AGENDA:

- 1a: RESOLUTION 2006-94: Warrant Register
- 1b: Minutes of Regular Meeting held October 5, 2006

2. PRESENTATIONS:

None.

3. COMMUNICATIONS FROM THE AUDIENCE:

4. PUBLIC HEARING ITEMS:

- 4a: ORDINANCE 2006-04: SECOND READING & ADOPTION: An Ordinance Repealing Chapter 2.28.070 and Adding it to Title 12 as Chapter 12.34 Entitled "General Regulations Governing Use of Parks" of the Waterford Municipal Code: City Attorney Browning explained that this ordinance was modified and includes the changes that were discussed at the last meeting. Mayor Turner opened and closed the public hearing with no comments offered by the public.

A motion to adopt Ordinance 2006-04 made by: CM/Dugovic

Seconded by: VM/Broderick

Absent: 1 Gilbert

Abstain: 0

Vote: 4-0

5. UNFINISHED BUSINESS:

- 5a: DISCUSSION: Relating to the General Plan Vision 2025 Update: City Administrator Deschenes stated that he attended the last Planning Commission meeting. Deschenes stated that the Planning Commission discussed the general plan and heard public input and closed the public hearing for the EIR. Deschenes stated that the Planning Commission determined that they felt it would be appropriate to make a recommendation to the City Council to approve the General Plan, Sphere of Influence and EIR; therefore this recommendation will be on the next City Council agenda. Deschenes stated that the City Council will receive a summary of the comments that were received on the EIR along with responses to each. Deschenes explained that some of the comments received were not related to the EIR, therefore could not be responded to through the EIR process. Deschenes explained that responses to these comments and questions would have been surfaced and addressed through the public hearing process for the general plan update at the Planning Commission meetings. Deschenes stated that it looks like we have a good general plan and sphere of influence that sets the general direction for the city well beyond the 2025 projection. Deschenes stated that he will be recommending one change relating to the zoning of the Lambert parcel which is the parcel located next to the new Riverfront park parcel. Deschenes stated that because we intended to acquire this parcel for parkland we zoned it for parkland, however at least to date we have been unsuccessful in acquiring this parcel, therefore Deschenes stated he is recommending that it go back to its original zoning which was low density residential. Deschenes stated further that as with all other parcels located along the river there will be a buffer zone for public access easement so that we can keep continuity between the various parcels along the river.
- 5b: DISCUSSION: Relating to the Waterford Government Center Project: City Administrator Deschenes stated that the Committee conducted the architect interviews and they have selected an architectural firm for the project and also selected a second firm to be a reserve in the event their first choice doesn't work out for one reason or another. Deschenes stated that before making the award our project manager, Gary Ingraham, is getting clarification on cost issues. Deschenes explained that cost was not the primary factor in the selection process because we are looking for a firm that can communicate well and that has other attributes as well, however the project manager would like the cost structure known to the degree possible before actually making a recommendation to City Council for approval of a contract. Deschenes stated that he expects that this process will move along quickly.
- 5c: DISCUSSION: Relating to City Organization: City Administrator Deschenes stated that in conjunction with the General Plan we have selected a consultant to do the fiscal impact fee portion of the general plan. Deschenes stated that Mr. Charlie Long was selected. Deschenes stated that Mr. Long has some history in the county and when Deschenes arrived 8-1/2 years ago, Mr. Long was doing a sales tax study for the county which was stimulated by some of the disputes with Modesto on major sales tax payers and whose jurisdiction they were going to locate in. Mr. Long has also done work for various other cities in the area. Deschenes stated that while talking with Mr. Long about the fiscal impact fee analysis Deschenes mentioned that he really needed some help in the redevelopment area and low income housing, federal programs such as CDBG and HOME. Deschenes stated that Mr. Long has experience in these areas and ideas that Deschenes hopes to tap into. Deschenes stated that he feels this is the city's greatest need in the area of administration because of his lack of expertise and time to deal with this area as it should be dealt with. Deschenes stated that the city has grown to the degree where this is a function that is needed. Deschenes stated that in talking with Mr. Long he feels with the type of revenue we are talking about between the Redevelopment Agency and the Low Income Housing, CDBG and residual home funds that we could possibly put someone to work full-time and perhaps forming a non-profit Community Housing Organization, rather than a Housing Authority that would be under the City Council's jurisdiction. Deschenes stated that this Community Housing Organization would have all the powers of a Housing Authority without many of the drawbacks. Deschenes stated that he will be talking with the City Attorney about this. Deschenes stated that this was timely advice that he lucked into which he is glad for.
- 5d: Relating to the Fiscal Year 2006-07 Budget: City Administrator Deschenes stated that he is trying to finish up the capital project portion of the budget and after the presentation by the City Engineer tonight he will be able to utilize some of the data that was presented. Deschenes stated that he will push this along and will distribute preliminary copies to Council as soon as he gets it done.

6. NEW BUSINESS:

- 6a: DISCUSSION: Relating to Public Works Project Prioritization. Power Point Presentation by Tony Marshall, City Engineer: City Engineer, Tony Marshall presented an update on the 2006 and 2007 capital improvement projects. A copy of this presentation will be added to the city website. Copy of this presentation is on file in the City Clerk's office.

Mrs. Patty Hulst, 13419 Bentley asked for some clarification on the work which has been done on the Safe Routes to School project.

- 6b: RESOLUTION 2006-89: A Resolution Approving Agreement with Springbrook to Provide Accounting Software Services for the City of Waterford: City Attorney Browning explained that this is a software subscription agreement. Browning explained that he was able to get some of the modifications he wanted added to the agreement, such as the indemnity provisions, we modified the venue from being out of state to Stanislaus County, we modified certain times to initiate claims. Browning stated that he did not get everything he wanted added or modified and feels this agreement is probably still more favorable to the vendor, however as long as they hold up their end of the bargain and provide the product and services that our staff thinks they will, then we should be okay. Browning stated that he did get hourly rates and other rates specifically outlined in the agreement and are included as attachments to the agreement. Browning stated that this organization was very professional and very responsive and they responded back with well thought out explanations on why they would not do what he wanted them to do in the agreement, so if this is any indication on how they will perform, they certainly put a good foot forward in that regard. Browning reinstated that we did get a number of concessions on provisions that we wanted to protect the city. City Administrator Deschenes stated that we have been looking at this software company for the last nine months or longer. Deschenes stated that our current software was purchased in 1999 with the Y2K looming over us. Deschenes stated that the city was very limited at that time in regards to funding, therefore are choices were very minimal. The Springbrook software has been recommended by our Finance consultant, who is very particular about software. Deschenes stated that staff has also interacted with Springbrook by visiting various municipalities that use this software. Springbrook has also come to our facility to do a demonstration of the software package. Deschenes discussed the pros and cons of using an off-site server (ASP) to host the software.

A motion to adopt Resolution 2006-89 made by: CM/Krause

Seconded by: CM/Dugovic

Absent: 1 – CM/Gilbert

Abstain: 0

Vote: 4-0

- 6c: RESOLUTION 2006-90: A Resolution Approving Contract with Teichert for Public Improvement Project No. 2006-04 – F Street / S.R. 132 Signal Project: City Administrator Deschenes stated that the right-of-way issue has been removed and the bid was awarded in August 2006. Deschenes recommended approval of the contract.

A motion to adopt Resolution 2006-90 made by: CM/Krause

Seconded by: CM/Dugovic

Absent: 1 – CM/Gilbert

Abstain: 0

Vote: 4-0

7. COMMENTS:

- 7a: Law Enforcement Update. Police Chief, Rob Jackson reported on an exercise last week which involved a gas leak behind the middle school. The school was put into lock down and implemented their school all hazard plan. Chief Jackson commented that the Fire Department, Sheriff Department and School all worked very well together. Chief Jackson explained that these types of things do not happen that often and it was nice to dust of the hazard procedures and practice them. Chief Jackson stated that he will be attending meetings with the school to go over this and review the new hazard plans that were just adopted for all the schools throughout the district.

7b: City Attorney Update: No update and no closed session items to discuss.

7c: City Administrator Update: Deschenes stated that he has a scheduled meeting with the Stines' tomorrow to see what we can do to assist them in their efforts of getting rid of the pigeons. Deschenes explained that he brought copies of the Pavement Management Plan for Council Members to review. Deschenes stated that this was distributed approximately 1-1/2 years ago, however just in case Council Members can not locate it, and he brought additional copies for Council to review. Deschenes explained that this is a good document to review in regards to pavement maintenance and management which the city is in more of a position to do now.

7d: City Council Update:

VM/Broderick: Commented on a recent visit by State Superintendent of public education, Jack O'Connell. Broderick stated that all of the Waterford schools have had dramatic increases and the High School has had the highest increase in the State of California. Broderick mentioned that Mr. O'Connell initiated the high school exit exam which has raised standards throughout the State of California. Broderick stated that he would like to bring school staff or the Superintendent to connect the school-city partnership and do some kind of honor to help keep these partnerships going. Broderick thanked his father, Deacon Tom Broderick for doing the invocation tonight.

CM/Gilbert: Absent.

CM/Dugovic: No Comments.

CM/Krause: Thanked Public Works Director, Matt Erickson and City Staff for their work at the Riverfront Park last weekend. CM/Krause stated that the event was a big success and invited anyone in the public with ideas or suggestions of what they would like to see at the new Riverfront to submit them to City Hall. CM/Krause also thanked Pat Padrnos for her work on the Riverfront Park. CM/Krause stated that Pat Padrnos is now on Channel 14 on Friday nights between 5:30-6:00 on the Hometown Focus program to give updates on Waterford.

Mayor Turner: Also commented on last weekend's Riverfront Park dedication and thanked staff for all their hard work. Mayor Turner stated that this is a great starting point and a central focus to our Park program that we will continue to expand.

8. ANNOUNCEMENTS: None.

ADJOURNMENT/RECESS: A motion to adjourn the City Council meeting was made by CM/Krause and seconded by CM/Dugovic. M/C Vote: 4-0

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on November 2, 2006, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Lori Martin, City Clerk

Charles Turner, Mayor

CLOSED SESSION:

9A. "CONFERENCE WITH LEGAL COUNSEL, PENDING LITIGATION"
(PURSUANT TO GOVERNMENT CODE SECTION 54956.9)

None.

9B. "CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION" (PURSUANT TO GOVERNMENT
CODE SECTION 54956.9)

None.

9C. "CONFERENCE WITH REAL PROPERTY NEGOTIATOR"
(PURSUANT TO GOVERNMENT CODE 54956.8)

None.

9D. "CONFERENCE WITH LABOR NEGOTIATOR" (PURSUANT TO
GOVERNMENT CODE 54957.6)

None.

9E. "PUBLIC EMPLOYEE PERFORMANCE EVALUATION" (PURSUANT
TO GOVERNMENT CODE SECTION 54957)

None.

9F. "PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE"
(PURSUANT TO GOVERNMENT CODE SECTION 54957)

None.

9G. "PUBLIC EMPLOYEE APPOINTMENT" (PURSUANT TO
GOVERNMENT CODE SECTION 54957)

None.

9H. "CHARGE OR COMPLAINT INVOLVING INFORMATION PROTECTED BY STATE LAW."
(Penal Code Section 832.7)

None.